REMARKS

35 U.S.C. § 102 Claim Rejections

The Examiner has rejected claims 1-2, 4-8, 10-13, 18-19, 21-22 and 24 as being anticipated under 35 U.S.C. § 102(e) by Deem et al. (U.S. Patent No. 6,231,597). Applicant has carefully considered the Examiner's comments. As a result, Applicant has amended independent claims 1, 18, 21, 28 and 30. Accordingly, all of the claims now require 1) a support frame or tubular structure with a substantially uniform circumference comprising a full circle; and 2) a graft material extending only a partial distance along the circumference.

Deem et al. does not anticipate Applicant's claims as now presented because Deem et al. fails to disclose all of the limitations of Applicant's claims. Deem et al. discloses a stent with a mid-region 15 and first and second ends 16, 18. (Col. 4, lines 59-61). The mid-region 15 is formed by curved sections 20. (Col. 4, lines 61-63). The curved sections 20 of the mid-region 15 extend over only a portion of the circumference. (Col. 5, lines 9-13; col. 3, lines 31-38; Figures 11A-11B). In contrast to Deem et al., Applicant's claims require a support frame or tubular structure with a substantially uniform circumference comprising a full circle. (*See, e.g.,* ¶ 0027, Figures 1-5 and 10). Deem et al. does not disclose this limitation. Instead, the structure in Deem et al. extends over only a portion of the circumference. Therefore, because Deem et al. does not disclose all of the limitations of Applicant's claims, this rejection should now be withdrawn.

The Examiner has also rejected claims 1-4, 7, 9 and 28-29 as being anticipated under 35 U.S.C. § 102(b) by Avellanet (U.S. Patent No. 6,036,725). Applicant has carefully reviewed the Examiner's comments. However, Applicant respectfully submits that Avellanet does not disclose all of the limitations of Applicant's claims as previously presented.

Avellanet discloses a stent with foil members 16 coupled to the exterior of the stent by welds 38, 40. (Col. 5, lines 18-21; col. 6, lines 1-10). The purpose of the foil members 16 is to minimize trauma at the implant location and provide additional strength to the stent. (Abstract; col. 2, lines 53-62; col. 4, lines 12-27; col. 7,

lines 17-35). As such, the foil members 16 are made from metal, such as stainless steel, titanium, nickel-titanium alloy or platinum. (Col. 5, lines 59-60). In contrast to Avellanet, Applicant's claims require a graft material that extends along the circumference. (*See, e.g.,* ¶ 0031). The foil members disclosed in Avellanet are not graft material as claimed by Applicant. Not only are the materials between the two different, but the purposes of the foil members and the claimed graft material are also substantially different. Although graft materials may be used in a variety of applications, a graft material would not satisfy the described purpose of Avellanet's foil members. (*See* Abstract; col. 2, lines 53-62; col. 4, lines 12-27; col. 7, lines 17-35). Instead, one typical use of graft material as described by Applicant is to block blood flow to an aneurismal sack. (*See, e.g.,* ¶ 0052). Therefore, because Avellanet does not disclose graft material as claimed by Applicant, this rejection should now be withdrawn.

Accordingly, independent claims 1, 18, 21, 28 and 30 are allowable since neither Deem et al. nor Avellanet disclose all of the limitations of these claims. Claims 2-13, 19, 22, 24 and 29 are also allowable since these claims depend from claims 1, 18, 21 and 28, and any further arguments would be superfluous at this time.

35 U.S.C. § 103 Claim Rejections

The Examiner has rejected claims 30-34 as being unpatentable under 35 U.S.C. § 103(a) over Deem et al. in view of Summers (U.S. Patent 6,080,191). The Examiner has also rejected claims 14, 20 and 23 as being unpatentable under 35 U.S.C. § 103(a) over Deem et al. The Examiner has also rejected claim 35 as being unpatentable under 35 U.S.C. § 103(a) over Deem et al in view of Summers. The Examiner has also rejected claims 15-17 and 25-27 as being unpatentable under 35 U.S.C. § 103(a) over Deem et al in view of Boatman et al. (U.S. Patent No. 6,464,720). The Examiner has also rejected claims 36-38 as being unpatentable under 35 U.S.C. § 103(a) over Deem et al in view of Summers and further in view of Boatman.

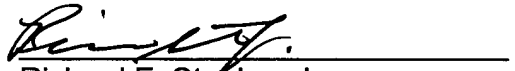
As explained above, all of the claims as now presented require a support frame or tubular structure with a substantially uniform circumference comprising a full circle and a graft material extending only a partial distance along the circumference. None of the prior art of record discloses all of the limitations of Applicant's claims as now

presented. Therefore, all of Applicant's claims are allowable. Any additional arguments that could be made are unnecessary and would be superfluous at this time.

Conclusion

In response to the Examiner's comments, Applicant has amended claims 1, 18, 21, 28 and 30. In addition to the other limitations of the claims, all of the claims now require a support frame or tubular structure with a substantially uniform circumference comprising a full circle. None of the prior art of record discloses these limitations. Thus, the claims as now presented are allowable. Accordingly, Applicant requests reconsideration and allowance of the application.

Respectfully submitted,



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